

Silver Spring Citizens Advisory Board

Meeting Summary

May 8, 2006

Members Present: Alan Bowser, Charlotte Coffield, Korey Hartwich, Graciela Jaschek, Phil Olivetti, Victor Salazar, Debbie Spielberg, Eric Hensal, Loyce Grigsby, Kathy Stevens, John Evanoff, Mary Pat Spon, Darian Unger, Marilyn Seitz, and Jerry Yokoyama, Victor Weissberg, Mark Woodard

Members Absent: Mitch Warren

Call to Order and Introduction

Chair Debbie Spielberg called the meeting to order at 7:05 p.m., members and attendees introduced themselves.

Approval of Meeting Summary

Motion: The Silver Spring Citizens Advisory Board unanimously adopted the minutes as amended by Mary Pat Spon.

Community Comments

Bob Colvin distributed the following materials: East Silver Spring Citizens Association newsletter dated May 2006, a letter to Councilmember Silverman, re: Sidewalk alongside the Nora School and a letter re: Traffic, letter from Councilmember Study for Grove Street 2006 and a Memorandum from Councilmember Silverman re: Fenton Street Sidewalk. The East Silver Spring Citizens Association, Inc. supports Option 1 for the Metropolitan Trail which is keeping it at Selim Road.

County Executive Report:

Paul Folkers reported that:

- The County Executive joined every resident of the State of Maryland in congratulating Kimberly Oliver for being named the 2006 National Teacher of the Year. Since she started her teaching career just six short years ago, Kim has served as a role model for her peers and students, and has played a major role in helping to turn around a school that was on the verge of being taken over by the State of Maryland for its poor student achievement. Thanks to Kim Oliver's hard work, the dedication and commitment of all the parents, teachers, support staff and administrators, as well as the unyielding desire of our students to succeed, Broad Acres Elementary School is now a national model for turning around struggling schools. Test scores are on the rise, the minority achievement gap is being narrowed and this trend is being replicated at schools all across Montgomery County.
- Montgomery County Executive Douglas M. Duncan and Prince George's County Executive Jack Johnson opened the Crossroads Youth Opportunity Center, a joint partnership between Prince George's and Montgomery Counties, which will serve teens who are involved with

gangs or at risk for gang involvement. Duncan and Johnson were joined by Congressman Chris Van Hollen, who announced \$2.3 million in federal funding to help support joint county initiatives, including the Center, community-based after-school programs and other services, and increased policing activities.

- Montgomery County Executive Douglas M. Duncan announced his selection of Katie Knowlin as the County's new Minority/Female Business Affairs Manager. For the past five years Knowlin has served as the Director of the Office Minority Business Enterprise for the State of Maryland. Knowlin, who will work out of the Department of Economic Development, will report directly to Duncan and make expanding minority and women owned business opportunities a top priority.
- On the eve of Earth Day, Montgomery County Executive Douglas M. Duncan and Montgomery County Council President George Leventhal unveiled aggressive environmental initiatives to substantially increase the County's purchase of clean, renewable energy and require that new buildings constructed in the County meet strict green building standards. Duncan and Leventhal, who were joined by County Councilmember and Chair of the Council's Transportation and Environment Committee Nancy Floreen, also released a 10-year environmental sustainability report and unveiled the County's first hybrid buses.
- Montgomery County Executive Douglas M. Duncan announced that the County's Office of Consumer Protection has filed a motion to intervene at today's closed proceedings before Maryland's Public Service Commission (PSC) on a plan that would increase PEPCO customer's rates by nearly 40%. "On behalf of Maryland's PEPCO customers, I am urging the Public Service Commission to reject this ill-conceived plan that was negotiated behind closed doors with the Ehrlich Administration," said Duncan. "This plan falls way short and still leaves consumers left holding the bag."
- Montgomery County Executive Douglas M. Duncan announced that, based on better-than-anticipated prices for the sale of electricity generated at the County's trash incinerator, ratepayers will receive nearly \$30 million in relief over the next four years. Single-family homeowners will see a \$40 reduction in what their tax bills would otherwise have been over that period as a result of the savings achieved through the sale of electricity from the County's waste-to-energy facility located in Dickerson. Duncan also announced that, on behalf of Baltimore Gas and Electric ratepayers in Montgomery, the County has filed a motion with the Public Service Commission to intervene.
- Montgomery County Executive Douglas M. Duncan announced the opening of the new Montgomery Works One-Stop Career Center, located within the Montgomery County Correctional Facility (MCCF) in Clarksburg. The new Montgomery Works Center – the first of its kind in the nation to be located within a jail -- will provide soon-to-be-released offenders with the knowledge and skills they need to successfully reenter the local workforce and stay out of jail. The career center is a joint project of the County's Department of Economic Development, Workforce Investment Board and Department of Correction and Rehabilitation. The new center is expected to serve more than 600 offenders each year with a variety of training programs and resources to help them obtain and maintain employment once they are released back into the community.
- In honor of its commitment to tree planting and tree care, Montgomery County has been named a Tree City USA by The National Arbor Day Foundation. It is the eleventh year the county has received this national recognition. ***For more detailed Press Releases please visit Montgomery County website www.montgomerycountymd.gov and click on NEWS!***

Discussion

Alan Bowser stated that there are Silver Spring Citizens Advisory Board members interested in the Youth Opportunity Center, after school programs and gang violence. Therefore I would like to request that the Board receive in the future advance notification through the Silver Spring Regional Center Director when things like this are happening.

Paul Folkers responded that he will work with Gary Stith to forward advance notification to the Board.

Bob Colvin asked if the County was receiving 70 new pieces of fire equipment.

Paul Folkers responded that the County is getting new fire equipment but was not aware of how many pieces.

Darian Unger asked who the vendor of wind energy is.

Paul Folkers responded that Montgomery County prides itself on being a leader in environmental protection and recently solidified that position when we signed a contract with Washington Gas Energy Services and their wind energy supplier, Community Energy, Inc., to purchase five percent of our energy from wind power.

Update on General Assembly Session

Melanie Wenger, Director Office of Intergovernmental Relations gave an overview of the Montgomery County 2006 Session – Progress on Priorities as follows:

- Montgomery County will receive about \$473 million in direct State aid for fiscal 2007. This number represents a \$60 million increase over last year's allocation. And, for the first time this term, with the exception of education aid, it reflects full funding of aid for which the County is entitled under State statutes and other authorizations. The State capital budget includes almost \$90 million for projects in Montgomery County. Direct State aid, including education aid, has increase by 40% since the beginning of the term. In the capital side, around a half billion dollars was provided to help finance the costs of building educational facilities and other cultural, historical, and economic development projects in the County.

For complete details of the information refer to your May packet Section 2 page 14.

Discussion

Victor Salazar, wanted to know about housing and the \$2.5 million for rental assistance and the \$1 million for capital funding for affordable housing trust and are those dollars coming to Montgomery County or is the money being divided among the 24 counties?

Melanie Wenger responded that this is statewide money.

Korey Hartwich asked about WMATA dedicated funding and what sort of mechanism are they discussing and how can the Board help.

Melanie Wenger stated that the discussion under way was dedicated funding. A piece of legislation that was introduced did dedicate a portion of the existing sales tax. A report is due in December and a number of public hearings will be held that the Board could participate in. These hearing are at the State level and governed by a Steering Committee, the County is hopeful that we will have a representative on the Steering Committee. Gary Stith will be notified of upcoming hearings.

Mark Woodard asked about next years projections and going forward.

Melanie Wenger responded that next year does not look bad but the out year's are going to be tough. This is an election year and a lot of spending is going on. Public Works just passed a 2 cent property tax reduction that can not be financed past next year. Short-term is alright but the future is dim.

Loyce Grigsby asked how many speed cameras are planned for Montgomery County and what is the projected revenue expected.

Paul Folkers responded that the County Police Department is working on developing the program and looking at fall for implementation. There will be mobile and fixed components and. the mobile component will have the capability to be moved.

Debbie Spielberg stated that the Transportation Committee had a briefing on the speed cameras and that there will be six mobile cameras and six fixed cameras. They need someone from the SSCAB to be a part of an Advisory Committee to assist the Police in identifying the locations of cameras.

Melanie Wenger stated that the ticket have been reduced to \$40.00 because they do not want this to be a big revenue generator.

Debbie Spielberg stated that in the summary under Transportation it states that \$5 million was restricted. Is this something that can be worked out.

Melanie Wenger responded that it was a leverage point to bring the Department of Transportation to the table for negotiations.

Chairs Report:

Debbie Spielberg reported on the following topics:

Nomination for Election of Officer's in June

- Election of Officer's will be held at our June meeting to prepare we need volunteers to serve on a nominating committee. The volunteers will not be running for any office which includes Chairs of committees. **Marilyn Seitz, Graciela Jaschek and Loyce Grigsby volunteer for the Nominating Committee.** Korey Hartwich has drafted a memorandum that was used in November for guidance on how election should proceed. If you have interest in yourself

running or nominating others please do so and if you do nominate someone they have to accept your nomination.

Silver Spring Transportation Management District Advisory Committee

- The Silver Spring Citizens Advisory Board interviews prospective applicants for the Silver Spring Transportation Management District Advisory Committee, (TMD). Currently there are three openings and we need volunteers that are willing to interview these applicants. We are hoping to do this one-hour prior to the next Transportation Committee Meeting on May 24, starting at 6:30 p.m. at the Regional Center. These opening were publicized as done with the SSCAB and the recommendations go directly to the County Executive. ***Kathy Stevens, Phil Olivetti, John Evansoff and Vic Weissberg volunteered to conduct the TMD interviews.***

Civic Building Management Option Meeting

Gracelia Jaschek gave a brief summary of the Civic Building Management Option meeting held on Tuesday, April 25, 2006 as follows:

- We reviewed the past community deliberations concerning the Civic Building and Veterans Plaza. We discussed various management models for programming the Civic Building and reviewed the formation of the Silver Spring Town Center, Inc., its current non-profit by-laws and board members
- Silver Spring Citizens Advisory board needs to make recommendation to the County Executive about the Civic building management options. Gary Stith recommended that the SSCAB make recommendation in the summer if funding is to be included in the FY08 operating budget, submission by County Executive to Council December 06.
- The Management Options group will meet again on Thursday May 18 to further discuss management options, possible recommendations to the full SSCAB regarding its support for the non-profit, and possible suggestions to the non-profit regarding the nature and size of the non-profit's board, as well as other issues

For detailed summary report please refer to handout distributed at the May 8 meeting.

New Businesses

Kathy Steven's motioned that the SSCAB consider voting on the Secretary position at the meeting this evening as opposed to June because she will be out of the Country on businesses. Discussion was held with the other candidates and they are amenable to the change.

Motion: (Steven, Sietz) that the Silver Spring Citizens Advisory Board vote tonight on the Secretary position as opposed to June. The position would go from May 2006 until the annual meeting in June 2007.

Korey Hartwich stated that this motion supersedes a previous action of the Board so we need a 2/3 vote to supersede the rules and in this particular case because you are asking to change the term of the appointment.

Discussion

Mary Pat Spon stated to the Board that for a number of reasons she decided to remove herself as a candidate for the Board Secretary position.

John Evansoff stated his objections to the motion for the following reasons:
Events occurred this past weekend, one candidate has withdrawn and endorsed the other candidate therefore the process has been somewhat tainted. I have not had an opportunity to give my presentation to the full board, however, if the Board decides to move ahead with this motion I am ready to present this evening.

Debbie Spielberg stated that if the election for Secretary is held tonight we would move forward with the same procedure that we planned on doing last month and was deferred until June. The candidates would have 3 minutes to present qualification and 10 minutes for questions and then the Board would vote.

The four suggestions by Board members are:

Special Call Meeting must have quorum

Hold discussion, debate and election in July

Have discussion and presentation tonight and possibly wait on the vote until June.

Keep the whole election process until June or do it this month.

Korey Hartwich stated the Board has been advised by the County Attorney's Office and Board members against absentee voting so if we do vote tonight Kathy Steven's will not be able to vote for herself. We have a process that the Board can call a meeting at any point and I believe the number is 5 members of the Board or at the call of the Chair and we need a quorum presence and prior notice to the community.

Victor Salazar stated that for parliamentary procedure unless a rule within the SSCAB Bylaws states that it can be suspended we are not allowed to suspend our rules. We as a Board can not arbitrarily put off all of the elections to July or August because we have already codified in our bylaws how we conduct our business. If there are no candidates in June to fill a vacancy we could elect a Secretary in July. The Boards bylaws and parliamentary procedures used to help guide us in developing our Bylaws are specific and clearly written.

Debbie Spielberg stated that Special Board meetings may be called by the Chair or by any five members, provided members receive notification at least five business days in advance of any such meeting. If a time, date, or place of a meeting is changed, or in the event of a special meeting, every effort will be made to inform the public of the details of such a meeting prior to such meeting.

Kathy Steven withdrew her motion and stated that she would be willing to let someone submit her information verbally in June.

Eric Hensal moved that there be a special call meeting in June for the election of Secretary.

Charlotte Coffield stated that she felt the Board could hear the two presentations tonight

and do the actual voting in June.

Motion: (Hensal, Grigsby) that the Silver Spring Citizens Advisory Board hold the election for Secretary this evening and extend the term for the additional months and follow the terms of the election as outline previously. *(10 in favor, 5 opposed motion passed)*

Debbie Spielberg stated that they would move to hear a 3 minute presentation of each candidate, 10 minutes for Q&A and than the Board would vote.

Candidates, Kathy Stevens and John Evansoff presented to the Board a 3 minute presentation of their qualifications and reasons they would be an excellent candidate for the position of Secretary.

Ballots were distributed and collected for counting.

Commercial and Economic Development (CED) Committee

Phil Olivetti reported that:

The CED Committee meeting was on April 26.

Meeting Topics:

Update MontgomeryHills façade landscape.

Birchmere

Alan Friedman, Silver Spring Forward discussed how the community group is trying to get the County, the developer and legislation to support the concept of the Birchmere as well as the necessary outreach for the project to move forward. The discussion was primarily on the community issues and we did not speak to the Economic Development issues and at the May meeting David Edgerley, Economic Development Department will present information on the details, financial implementation and finances.

The CED Committee members agree that the Birchmere project is worthwhile and needs to be supported. The Committee recommended and approved support of the Resolution located on page 25 of your packet. The Committee did not have enough information to write a full letter to the County Executive and County Council so as an interim step we wrote a resolution that would send a message acknowledging the Silver Spring Citizens Advisory Boards support. The CED Committee will have a presentation at our next meeting by David Edgerley which should help us in compiling a more detailed letter. Phil Olivetti moved that the adoption of the Resolution on page 25 of.

Korey Hartwich asked what it meant to be an Advisory project for 2006-2007 what is the Board going to do.

Phil Olivetti responded what this means is that the committee will have more than one meeting, we will track the issue and follow the progress

Motion: (Olivetti, Sietz) the Silver Spring Citizens Advisory board agreed to adopt the Resolution on page 25 of the Silver Spring Citizens Advisory Board for the Birchmere on May 8, 2006 (*in favor 13, opposed 0 abstentions 3*)

Next meeting of the CED Committee will be on May 17th at the Silver Spring Urban District Office located at 8110 Georgia Avenue,, parking is available in the rear of the building.

Agenda for next meeting are as follows:

Birchmere - David Edgerly, MC Economic Development
City Place Tower Addition Proposal - City Place
Response from Park and Planning on Infrastructure Issues
Civic Building Design Update - Gary Stith
CED Committee - Recommend Co-Chairs for 2006-2007

We did receive a response from the Planning Board which is located in your packet regarding the letter the Board wrote on infrastructure.

Alan Bowser for the record requested that the agenda for the CED be circulated way in advance of the meeting.

Election of Silver Spring Citizens Advisory new Secretary position

Debbie Spielberg announced that the ballots had been counted and Kathy Stevens has been elected as the Silver Spring Citizens Advisory Board Secretary.

Motion: (Salazar, Hartwich) that the Silver Spring Citizens Advisory Board destroy the ballots (*all in favor 16*)

Neighborhoods Committee

Alan Bowser reported that:

The Neighborhood Committee met on April 17, and the meeting summary notes are located on pages 27 and 28 of the Board packet and the meeting was well attended. We had community representation from South Silver Spring and South Four Corners. This is part of the outreach the committee has to neighborhood associations.

The action items this evening is the letter on page 29 regarding HOC Community Notification. They voted to approve the project at 527 Dale Drive last Wednesday by a margin of 6 to 1. I think indicative of the failure of HOC to reach out to the community and they did not post the information until this morning and I have placed the information on the listserv this evening.

This letter was adopted unanimously by the Neighborhood Committee on April 17, 2006. I received detailed comments by John Evansoff and Debbie Spielberg, Chair of the SSCAB. An amended letter addressing the Chair's concerns has been distributed to you this evening. The community was not adequately consulted by HOC, the project is fast track and we heard about it on April 4 and they voted on May 3. Park Hill Civic Associations and Seven Oaks Evanswoods, and other community members have concerns about way this issue was handled. The letter

before you has been toned down considerably by the Chair to express our concerns about the Housing Opportunities Commission communications process and request that County Executive review HOC procedures.

Motion: (Bowser, Stevens) move that the full Board adopted the amended letter.

Discussion

Korey Hartwich asked about paragraph three and four but not the first sentence of paragraph 3 but everything beyond that and wonder is this a little too specific especially when referring not by name and specifically to staff are we getting into areas of contentions that are not necessary. I wonder though if hearsay is appropriate.

Alan Bowser stated that he knows all of this from first hand knowledge to be true and the people from Park Hills Civic and Seven Oaks Evanswood expressed these concerns to the Neighborhood Committee. The idea that HOC did not consult schools, public school systems, the calls the community made to County offices which were not returned and a request for County representation at civic meetings was dismissed are very significant issues. We were not treated well doing this process. The process of public notification by HOC on these kinds of project leaves a lot to be desired

Debbie Spielberg, Chair stated that she was uncomfortable sending the letter even though my comments have been incorporated. I am uncomfortable with the tone for an agency that primary mission is affordable and accessible housing and the majority of the members on this Board want to help preserve affordable housing in this area. I attend the meeting and the person running the meeting was not helpful and alienated the community however there was someone on the panel that was incredibly impressive she was clear, direct, is running the project and left her phone number. It is uncomfortable how fast this project is going. There are people from both the civic associations who have voiced strong support for this project and one person has volunteered to form an Advisory Committee for the neighborhoods to work with HOC on concerns.

Victor Salazar stated that he supported the letter. There seems to be cross agency not just here but including Montgomery County Public Schools as a government agency that often times does not provide adequate notice about changes with sufficient input in terms of allowing for weighing of options. This letter will begin to open up a dialogue to County Executive and County Council when talking about any project that before coming to a decision and concluding you will take the action community input is extremely important.

Eric Hensal stated he supports the letter but has concerns about 3rd and 4th paragraph in terms of we know these happen but the way the letter is written it's based on hearsay. It's too specific, particular and might be subject to different board members take on what happens but in terms of the timeline and better communication with the community and outreach.

Motion: (Unger, Stevens) moved to previous question so the SSCAB member can vote on the HOC letter (*all in favor with 1 abstention*)

Alan Bowser stated that he would accept Korey Hartwich and Eric Hensal suggestions as friendly amendment and remove paragraphs 3 and 4 that caused concerns and propose the letter go forward.

Motion: The Silver Spring Citizens Advisory Board approved sending the amended letter to the County Executive removing 3rd and 4th paragraphs (*all in favor 11 opposed 5 letter passes*)

Alan Bowser announced the following:

There will be a Community Forum on Emergency Preparedness co-sponsored by the Board on May 20.

Next meeting on May 15 topics of discussion: Neighborhood Watch, Environmental Issues and Committee Nominations, Kimberly Oliver Award

Victor Salaraz reported that the Board had agreed to lend its name to organizations for the continued work with youth safety. The event at Montgomery Blair High School on April 29 went extremely well and they had between 80 and 100 participants. We continue to move forward in the area of public safety and the work with youth violence and gangs.

Transportation/Pedestrian Safety Committee

Debbie Spielberg reported that:

The Transportation Committee met on April 26 there are extensive minutes included in your packet.

Silver Spring Transit Center draft letter

Darian Unger stated that the deadline for the letter is done and that he had testified at Park and Planning Board and requested that they allow SSCAB to submit something four days late. Given the fact that this letter is relatively non-controversial as are the other transportation letters that have been posted on the listserv and in our packet I move that we vote on all five draft letters at once.

Motion: (Unger, Olivetti) that the Silver Spring Advisory Board vote on all five draft letters enclosed in the May 8th packet at one time.

Discussion

Vic Weissberg offered a friendly amendment on page 37 add the following: The North and West Silver Spring Master Plan recommends that left hand turn signals on northbound 97 during the p.m. rush be activated to allow that turn in movement. Currently northbound traffic is funneled through residential neighborhoods on roads with inadequate capacity for volumes generated during rush hour. Maryland 97 is a major arterial which is better equipped to handle the amount of traffic during rush hour.

Darian Unger accepted the friendly amendment recommended by Vic Weissberg on page 37.

Korey Hartwich strongly opposed voting on all five draft transportation letters at once. In my opinion the Board should not start packaging multiple letters all together.

Debbie Spielberg, Chair asked that the Board vote on one draft transportation letter at a time. I would like to request that the Board hold the letter in your packet on page 40 regarding South Silver Spring until after the next Transportation Committee meeting. Alan Bowser drafted the letter with the understanding that the folks involved are willing to come to our next meeting so the Committee can figure out what is going on. If the Board passes Darian Unger motion for all five letters to be voted on at one time I request that the letter on page 40 regarding South Silver Spring be removed and not voted on until the Transportation Committee has more information.

Motion: (Spielberg) that the Silver Spring Citizens Advisory Board remove the letter on page 40 regarding South Silver Spring from the packet to be voted on.

Motion: All in favor of packaging all five letters in unison (*1 in favor, 13 opposed, motion fails*)

Victor Salaraz asked if any of the letters are time sensitive or related to public deadlines that we need to responded to County Executive, County Council or any one else.

Motion: (Bowser, Hensal) the Silver Spring Citizens Advisory Board unanimously agreed unanimously to adopt and send the letter requesting additional support for Bikeways in the Silver Spring Area. (**All in favor 16**).

WMATA draft Letter

Debbie Spielberg stated that the Transit Center letter is time sensitive even if though the deadline has passed. I find it very distressing that WMATA did not give us ample time to comment on the issue and suggest that the Board put in a paragraph addressing our concern of not being given enough time to weigh in. There are still serious concerns in the community that need addressing. WMATA is considering this issue currently and will make a decision by June.

Motion: (Bowser, Stevens) The Silver Spring Citizens Advisory Board unanimously adopted the draft letter on page 41 as amended to WMATA expressing support for the new Silver Spring Transit Center but urged that several concerns be addressed.

Victor Salazar proposed to the full board that all other items on the agenda be tabled for 30 days in consideration of time.

Motion: (Salazar, Grigsby) the Silver Spring Citizens Advisory unanimously agreed to table all other items on the May agenda for 30 days and adjourn the meeting.

9:10 Meeting adjourned